

**WILLIAMSBURG CITY COUNCIL  
MINUTES  
APRIL 13, 2006**

The Williamsburg City Council held its regular monthly meeting on Thursday, April 13, 2006, at 2:00 p.m., in the Council Chambers of the Stryker Building.

**ATTENDANCE**

Present were Ms. Zeidler, Messrs. Haulman, Scruggs, Chohany and Freiling. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist.

Staff Attending: Assistant City Manager Miller, Economic Development Director DeWitt, and Department Heads Clayton, Hudson, Serra, Weiler, Walentisch, and Code Compliance Administrator Carolyn Murphy.

**CALL TO ORDER**

Mayor Zeidler called the meeting to order.

**COUNCIL MINUTES**

*Mr. Scruggs Moved that City Council Approve the Minutes of March 6 and 9, 2006, and Special Meetings of March 20 and 21, 2006. The Motion Was Seconded by Mr. Haulman.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None*

**MATTERS OF SPECIAL PRIVILEGE**

**Ryan Scofield, Student Assembly President, College of William and Mary**, addressed Council regarding the city/student relationship. He felt that positive steps were taken over the last year to open lines of communication between students and city leadership. He expressed his desire for the students and city to continue to work together on parking, housing, and voting issues. The relationship between the city and college is reciprocal and is mutually beneficial in many areas. He is excited about working with Council over the coming year.

Mayor Zeidler thanked Mr. Scofield for his leadership, for his work, and for reaching out to the community.

**Jhett Nelson, Secretary of Public Affairs for the Student Assembly, College of William and Mary**, appreciated the opportunity to speak. He said it was a pleasure to work with City Council and city administration. Great strides have been made over the last year between the college and city. He and students were disheartened upon returning from spring break to learn that the city had recently purchased a home near campus to convert it to an owner-occupied residence. Students are very interested in the housing issue, and he was concerned about a policy that would have future adverse implications on parking, safety, quality of life, and a walking community. He has proposed a four-way forum (members of the city, neighborhoods, city administration, and student body) to tackle tough issues, and hoped that the forums will continue in the future.

Mayor Zeidler thanked Mr. Nelson for his comments and for his work to build bridges between the campus and the community.

## **PUBLIC HEARING**

**VAC #06-003: The Request of L & B Quarterpath to Vacate Pocahontas Street, a 50 foot Right-of-Way, Approximately 239 Feet in Length (approximately 0.27 acres). Pocahontas Street Extends Between Quarterpath Road and Bassett Street (a private right-of-way), Proposed Ordinance #06-12**

Reference for this item was Mr. Nester's report dated April 13, 2006. Ms. Carolyn Murphy used a Powerpoint map to show the location of the requested street vacation. State Code requires a public hearing on the vacation request. Since this proposed vacation only affects property owned by or under contract with L&B Quarterpath, and since the vacation will be in accordance with the plans approved for the Village at Quarterpath development, staff recommended that viewers not be appointed. Staff recommended approval of the vacation with no monetary consideration being required for the vacation since taxes have been paid on the majority of the right-of-way. If Council decides that consideration should be paid, staff recommended the amount of \$3,808. Representatives from L&B Quarterpath were present.

Mayor Zeidler opened the public hearing.

No one wished to speak. The hearing was closed.

*Mr. Chohany Moved That City Council Approve Proposed Ordinance #06-12 to Vacate the Pocahontas Street Right-of-Way, with No Monetary Consideration Being Required for the Vacation. The Motion Was Seconded by Mr. Freiling.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None*

(SEE ATTACHED ADOPTED ORDINANCE #06-12)

## **BUDGET HEARINGS**

**Operating and Capital Budgets for the Fiscal Year Commencing July 1, 2006**

**Property Tax Rate of \$.54 per \$100 of Assessed Value**

**Proposed Water Rate of \$3.00 per 1,000 Gallons/Increase in Connection and Availability Fees**

Reference for these items were copies of the required public notices that were published in the *Virginia Gazette* and Mr. Tuttle's report dated April 12, 2006 providing updated budget information. Mr. Tuttle said that public hearings are required by State Law and the proposed budget, water rate, and effective tax rate were advertised. The city proposes to keep its current tax rate of \$.54 per \$100 of assessed value. The difference between the lowered tax rate and the proposed tax rate would be \$2.5 cents per \$100, or 4.6%, known as the effective tax rate increase. The water rate is proposed to increase from \$2.70 to \$3.00 per 1000 gallons; certain connection fees and availability fees are proposed to increase.

Mayor Zeidler opened the public hearings on the three budget matters.

No one wished to speak. The hearing was closed.

Mr. Tuttle reported on the proposed revisions to the budget as outlined in the April 12 update (attached). He noted that there would be additional updates to the proposed budget before it is adopted next month, because there are still pending budget issues.

Mr. Tuttle reviewed the chart providing additional information about certain segments of sidewalks on various streets as requested by Council at the work session (attached).

Mr. Haulman stated that he had a conflict of interest concerning the sidewalk on Newport Avenue and would not comment on that issue.

Discussion ensued about who should be responsible for paying the cost of sidewalk improvements, rights-of-way, safety issues, and impact of improvements on trees and landscaping. Mr. Tuttle asked for guidance from Council since these sidewalk projects are not included in the CIP.

Mayor Zeidler summarized the discussion. Council supports the sidewalk from College Deli to WaWa, and asked Mr. Tuttle provide more information about the other sidewalk projects, with emphasis on safety, the impact on plant materials and trees, and the priorities of property owners. Mr. Tuttle said that staff would continue work to prioritizing these issues and the effect on the coming CIP budgets.

Other budget issues:

Mr. Haulman encouraged the City Manager to assist and support the Williamsburg Area Transport (WAT) system. The Mayor asked Mr. Tuttle to provide additional information about the amount of funding requested and the recommended funding.

Water Rates: At Mr. Chohany's request, Mr. Tuttle explained the base or minimum billing for water service. The minimum billing amount helps to fund the overall cost of the water system.

Land Conservancy: Mr. Freiling recommended that City Council consider appropriating an additional \$5,000 to the Conservancy (\$5,000 was recommended). He noted that the County significantly invests in the Conservancy and provides staff support. He noted that the next corridor enhancement project by the Conservancy will span all three jurisdictions. They may next be looking at the Second Street corridor. Mr. Tuttle will make the adjustment to the proposed budget for the higher amount as directed.

Mayor Zeidler said the budget adoption is scheduled for the May meeting.

### **Monthly Financial Statement**

*The Monthly Financial Report was received and ordered filed.*

### **Monthly Departmental Operating Reports**

*The Monthly Departmental Operating Reports were received and ordered filed.*

### **City Manager Reports**

#### **Virginia Juvenile Community Crime Control Act, *Proposed Resolution #06-07***

Reference for this item was Mr. Tuttle's report dated March 2, 2006. Mr. Tuttle explained that the Colonial Group Home Commission provides programs for juvenile offenders within the 9th

District Court Services Unit. York, Gloucester, James City, and the city are members. The joint exercise of powers agreement adopted almost twenty years ago by the governing bodies of the Commission member localities assigns the role of managing jurisdiction to York County. Funding comes from a combination of state, matching funds, and local support.

As a formality, the Virginia Department of Juvenile Justice periodically requires a resolution from each locality acknowledging the Combined Plan and designating York County as the managing jurisdiction. Mr. Tuttle recommended that City Council adopt Resolution #06-07 to enable the continuation of programs for juvenile offenders, funded in part with Virginia Juvenile Community Crime Control Act funds.

*Mr. Freiling Moved That City Council Adopt Proposed Resolution #06-07, A Resolution to Approve A Plan for Compliance with the Provisions of the Virginia Juvenile Community Crime Control Act and to Designate that Funds Received Under the Act be Used to Continue the Programs Regionally Funded Through the Colonial Group Home Commission. The Motion Was Seconded by Mr. Chohany.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None (SEE ATTACHED ADOPTED RESOLUTION #06-07)*

#### **Highway Safety Grant Administration, Proposed Resolution #06-08**

Reference for this item was Mr. Tuttle's report dated March 31, 2006. Mr. Tuttle said that the city has been awarded a grant from the Division of Motor Vehicles in the amount of \$15,000 to be used for the purchase of new radar equipment in police vehicles. He recommended that Council adopt the proposed Resolution, appropriating the DMV grant funds and designating Chief Yost as administrator.

*Mr. Freiling Moved That City Council Adopt Proposed Resolution #06-08, Appropriating the Highway Safety Grant Funds and Authorizing Chief Yost As Administrator of the Grant Funds. The Motion Was Seconded by Mr. Chohany.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None (SEE ATTACHED ADOPTED RESOLUTION #06-08)*

#### **Graffiti Abatement Ordinance and Policy, Proposed Ordinance #06-13**

Reference for this item was Mr. Tuttle's report dated April 3, 2006. Mr. Tuttle said that a team of city staff members have assessed the extent of the graffiti problem in Williamsburg and have made a recommendation to adopt an ordinance to address defacement of public or private property and to provide for the removal or repair of the graffiti. A Graffiti Abatement Policy is also proposed for adoption. The program offers property owners an incentive for removing graffiti from their property. It was recommended that Council adopt the proposed ordinance and abatement policy.

Mr. Freiling asked that other jurisdictions be made aware of the ordinance and policy.

Mr. Phillips said that major damages to private properties would be covered by the owner's insurance policies. Mr. Tuttle noted that the city would discuss damage with the property owners and assist with cleanup of graffiti.

*Mr. Chohany Moved That City Council Adopt Proposed Ordinance #06-13, An Ordinance to Add Article VII Section 12-90 Through 12-92 to Chapter 12 of the Code of the City of Williamsburg, Prohibiting the Defacement of Public or Private Property and Providing for the Removal and Repair of Defacement of Public and Private Property. The Motion Was Seconded by Mr. Freiling.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None* (SEE ATTACHED ADOPTED ORDINANCE #06-13)

### **Employee Direct Reimbursement Dental Plan**

Reference for this item was Mr. Tuttle's report dated April 3, 2006. Mr. Tuttle said that currently, city employees have diagnostic and preventative dental coverage through an Anthem Dental Plan. It is proposed that the current plan be terminated in favor of a direct dental reimbursement plan which will provide reimbursement or partial reimbursement for most dental expenses. Funds designated for the existing plan will be used to fund the new plan, and depending on the level of usage, a portion of the self insurance reserve fund may have to be used. Eligible employees would receive up to a maximum of \$2,500 per fiscal year per employee for covered dental expenses. Eligible dependent coverage would be included in the \$2,500 maximum. Mr. Tuttle recommended approval of the proposed plan as of July 1.

Council members applauded this improvement to the employee benefit package. Mr. Tuttle confirmed that the reimbursement to employees is not taxable.

*Mr. Haulman Moved That City Council Approve Inclusion of the Direct Reimbursement Dental Plan in the City's Personnel Manual Effective July 1, 2006. The Motion Was Seconded by Mr. Freiling.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None*

### **Employee Direct Reimbursement Legal Services Plan**

Reference for this item was Mr. Tuttle's report dated April 3, 2006. Mr. Tuttle said that this proposed Direct Reimbursement Legal Services Plan is intended to encourage City employees to establish a basic estate plan. If approved, the City would provide its employees with financial assistance to have these necessary documents (Wills and Trusts, Power of Attorney, and Natural Death Declaration) prepared by an attorney. Based on proposals received from area attorneys, a one-time \$350.00 maximum reimbursement for estate services would be available to eligible employees. The employee would select their attorney. The plan would be phased in over two years based on the employee's years of service. Mr. Tuttle recommended the plan be implemented as of July 1.

Council members were pleased with the proposed legal service plan and that it would be phased in over two years to help manage cost.

*Mr. Freiling Moved That City Council Authorize the City Manager to Implement the Direct Reimbursement Legal Plan as of July 1, 2006. The Motion Was Seconded by Mr. Chohany.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None*

**Adoption of City Code Supplement #18, Proposed Ordinance #06-11**

Council members received a copy of the Proposed Ordinance. Mr. Phillips reported that this was a housekeeping matter to formally adopt the supplement of the ordinances already electronically included in the City Code.

*Mr. Freiling Moved That City Council Adopt Proposed Ordinance #6-11, An Ordinance to Adopt Supplement #18, February 2006, of the Code of the City of Williamsburg. The Motion Was Seconded by Mr. Haulman.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None*

(SEE ATTACHED ADOPTED ORDINANCE #06-11)

**UNFINISHED BUSINESS**

Comprehensive Plan Update/Regulations Regarding Bed and Breakfast Establishments:

Mayor Zeidler said that Council members received a report on the update of the Comprehensive Plan at the work session. At that time, Council indicated that they would like to refer the proposals regarding B&B establishments to the Planning Commission in order to speed up its review. Mr. Haulman said If the process was stepped up, it might be possible for the review to be completed by the end of the summer in order for B&B owners to know parameters in which they would be operating, particularly for Jamestown 2007. Council members directed the City Manager refer this matter to the Planning Commission for review.

**NEW BUSINESS**

Proposed Resolution #06-09, Eastern State Hospital: Mr. Tuttle said that this matter was discussed at the work session. The resolution opposes any efforts to transfer the hospital to the private sector without an open decision making process which clearly and publicly demonstrates that the objective of high quality patient care is significantly advanced by such a change. Council members fully supported the resolution which would be sent to the Governor, members of the General Assembly, and Director of State Mental Health Services.

*Mr. Scruggs Moved That City Council Adopt Proposed Resolution #06-09, Eastern State Hospital. The Motion Was Seconded by Mr. Freiling.*

*Recorded Vote on the Motion:*

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany*

*No: None*

(SEE ATTACHED ADOPTED RESOLUTION #06-09)

Mayor Zeidler thanked Mr. Tuttle and Ms. Miller for preparing the resolution.

**Appointments to Boards and Commissions**

Mayor Zeidler said that Council has received information from Ms. Crist regarding upcoming expirations and vacancies. Council will discuss appointments during closed session.

**Additional Items:**

Creation of a Corridor Protection 2 District: Mr. Scruggs read his prepared statement (attached) asking Council to consider the creation of a Corridor Protection 2 District, and suggested that the guidelines for this district be similar to the ones for the AP3 District, thereby allowing the use of vinyl siding. He asked for a review of the objectives of the Design Review Guidelines, and subsequently, to determine if it is reasonable to allow some flexibility in the CP District? He cited certain guidelines and Code sections for Council's consideration. Mr. Scruggs said he was prepared to place a motion on the floor that would request the Planning Department move forward the process of offering to Council the information required to add a second CP district with guidelines similar to a merging of AP3 and CP districts.

Council members discussed Mr. Scruggs' proposal.

Mr. Freiling was concerned about changing the standards for the perimeter of the city, then character of the perimeter is changed, and then those standards could start to creep inward. If maintenance is a consideration, the use of cementitious siding is an option to vinyl. He was not in favor of recommending this matter to the Planning Commission and could not support it.

Mr. Scruggs noted that vinyl does exist in many areas in the city. The vinyl regulations in AP3 are stringent. He did not understand why the use of vinyl is a degradation of character. It has the look of wood.

Mr. Haulman commented that in the AP3 District, the neighborhood had already transitioned to aluminum or vinyl siding. Prior to the McCardle building being vinyl clad, no other buildings in that district had vinyl siding.

Mr. Chohany said he was challenged to see a visible difference between vinyl and the allowable product. The apartment buildings in the district are in need of help and he felt that businesses are in need of relief or the properties may suffer aesthetically. He urged Council members to concur with Mr. Scruggs' recommendation for further review.

Mr. Haulman reviewed the three compromises to the guidelines previously addressed. This is a critical intersection in the city and maintaining the character of the community in that intersection is important. Some modifications may be acceptable to him, but this entrance corridor area is different from other corridor protection districts in the city, and he was concerned about setting a precedent for other corridors.

Mr. Phillips said that this proposal is a new rezoning process with a different zone with difference standards, and Council would have to decide what areas would be put within that zone. Public hearings would be required by the Architectural Review Board, Planning Commission, and City Council. Council could ask the Architectural Review Board and Planning Commission if there was any area within the CP districts that might be yet another separate district that would allow the use of vinyl siding under defined circumstances.

Mr. Scruggs said he was adamant that the use of vinyl would not be degradation.

Mr. Haulman noted that the regulations in this area already allow the use of natural materials or cementitious siding. Vinyl siding is not as desirable because of the technology of vinyl siding and the lack of installation standards. Council members discussed the cost difference between using cementitious and vinyl siding. Mr. Scruggs said that cost and maintenance for property owners are important components that Council needs to discuss and consider.

Mayor Zeidler noted that the ARB and Planning Commission recommended against creation of a CP2 District. Sending this back would be asking them to redo their work.

Carolyn Murphy clarified that during the past reviews, the special committee looked at the guidelines, and the ARB and Planning Commission looked at the guidelines and the issue of CP2 District on Route 199, and recommended against it.

Mr. Scruggs felt that this was an important issue to the city and agreed with Mr. Chohany that more information is needed. He noted that the ARB does not consider cost factors. Mr. Haulman said they do react to the aesthetics and the visuals. The reason to send this back for further review is because of new questions/issues that have resulted from public discussion that need to be addressed again. We need to give the ARB and Planning Commission sufficient direction.

Mr. Scruggs said he was prepared to offer a motion that Council request the Planning Department to move forward the process of offering Council the information required to add a second CP District with guidelines similar to a merging of the AP3 and CP Districts.

Mr. Phillips understood that Mr. Scruggs was asking for information to be brought back to Council for Council to determine if they should then request the Architectural Review Board and Planning Commission to pursue consideration of recommending a formal zoning change.

Mr. Scruggs said he was not looking for degradation of standards, but was looking for a way to respond to property owners' requests about this issue. It will not cause the character of the city any harm.

Mr. Phillips said that there was no appeal process in the ordinance as drafted. He explained the process for an ordinance change that would allow for a special exception for a specific piece of property for a specific purpose, and with guidelines for the deliberation on whether to grant a special exception.

Mr. Scruggs said that he Council members discussed the language of the motion from the last meeting regarding this issue and Mr. Scruggs' proposed motion which asks for more information before this issue is referred back to the ARB and Planning Commission. Mr. Scruggs recognized the amount of time and energy that has been put into these issues by the Vice-Mayor and various bodies.

Mayor Zeidler noted that Council disagreed about this issue when the recommendation was previously considered.

*Mr. Scruggs Moved That Council Request the Planning Department Move Forward the Process of Offering Council the Information Required to Consider Adding a Second CP District. The Motion Was Seconded by Mr. Haulman.*



Mr. Scruggs believed that this information was needed from the Planning Department before Council could make a determination whether or not to send this back for further review. Ms. Murphy provided information about the areas of the city that would be affected by creation of a second CP district. She noted that the ARB and Planning Commission did look at the area south of Route 199 and determined that this area should set an example for the rest of the city. She asked for direction from Council as to what additional information is being requested.

*Recorded Vote on the Motion:*

*Aye: Scruggs, Haulman, Chohany*

*No: Freiling, Zeidler*

## **OPEN FORUM**

Mayor Zeidler asked for public comment.

**Nanci Bond, 416 Suri Drive**, spoke in support of passenger train service and working with Amtrak to support packaged trips to Williamsburg. Many people in America do not drive, and Williamsburg is one of the few destinations that can be reached by train and have an area bus system to our destinations. With additional money and attention, people can be enticed to come here by train. She urged Council to expand tourist visitations to Williamsburg, with additional funding, advertising, and packaging of Williamsburg, with the cooperation of Amtrak, the Hospitality Industry, and major destinations.

Ms. Bond said the potential is great and important to improve the appearance of the east side of town. She urged that the CIP include sidewalks, undergrounding of wires, safety/crosswalks, and anything that can be done through corridor protection.

**David Kranbuehl, 201 Harrison Avenue**, complimented Council regarding their positive reaction to citizen comments at the work session. He urged Council's spirited discussions on key issues. He was concerned about neighborhoods (i.e. sidewalks and streetlights) and particularly concerned about the city's economy and the affect on city businesses. He was concerned that people will start to frequent businesses in New Town.

Mr. Kranbuehl suggested that a citizen advisory board for the bus system be created. He read his previous e-mail message to Council concerning sidewalks on Richmond Road and the lack of progress regarding cost-sharing (attached). We need to spend more money on infrastructure in neighborhoods, and on our bus systems. The city has the money. The Planning Commission and he have asked for information about future revenues.

No one else wished to speak. The session was closed.

## **CLOSED SESSION**

Mr. Haulman Moved that City Council go into Closed Session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing one personnel matter per subparagraph 1 concerning appointments to boards and commissions; one property matter per subparagraph 3, regarding acquisition of property for community development of which discussion in an open meeting would adversely affect bargaining or negotiation strategy of public body. The Motion Was Seconded by Mr. Chohany.

Recorded Vote on the Motion:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

The meeting adjourned at 4:30 p.m. The Mayor called a five-minute recess.

At 4:57 p.m. Council met in Open Session.

Mr. Haulman Moved the Certification of Closed Meeting. The Motion was Seconded by Mr. Chohany.

Recorded Vote on the Motion:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

### **CERTIFICATION OF CLOSED MEETING**

Date: April 13, 2006

Motion: Mr. Haulman; Second: Mr. Chohany

WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City of Williamsburg.

VOTE:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

Absent During Vote: None

Absent During Meeting: None

The meeting adjourned at 4:58 p.m.

Approved: May 11, 2006

Jeanne Zeidler, Mayor

Attest: Shelia Y. Crist, Clerk of Council

COMMENTS FROM BILLY SCRUGGS:

I would like to ask Council to consider the creation of a Corridor protection district 2. I would suggest the guidelines for this district would be similar to the guidelines for AP district 3.

This issue was brought up by a number of adjacent property owners that are requesting to replace their wood siding with vinyl, a siding material that is currently not allowed by code on their properties.

I would also ask fellow members of Council to review the objectives of the design review guidelines. After review I would ask you to determine if it is reasonable to allow some flexibility in the CP district.

A few parts of current code I would like for you to consider;

Under aesthetic objectives,

***New construction projects and substantial renovation projects should respect the scale, materials, massing and setbacks of neighboring buildings and the overall streetscape.***

**Sec. 21-853. Architectural review board.**

**(f)** The review board, when requested by an applicant in the architectural preservation or ***corridor protection districts***, shall advise as to the changes and alterations necessary to bring the proposed building, structure, sign or exterior architectural feature in harmony with the general design of the buildings, structures or appurtenant elements ***located in the surrounding area.***

This text from these guidelines would indicate to me City code is designed to take into account the context of the adjacent properties, and not necessarily to apply the most restrictive standard in all locations. In other AP districts this most restrictive standard is reserved for those properties that are adjacent to the designated historic feature (which is what the enabling state legislation allows). The properties that I would propose for this district are about 2 miles from the historic area.

Is it reasonable to require a higher standard for the designated corridors? The answer, of course, is yes. But is it not also reasonable that property owners would expect code requirements be kept in the context and be consistent with other buildings in the proximity of their property.

Acceptance of vinyl is really the ultimate question in this issue. It seems to me when some in the community even say the word “vinyl”, it leaves a bad taste in their mouth. Because these individuals have such disdain for this material, for the most part they can not envision its’ use in any part of the City. Could it not be argued this is an extreme and narrow view of what is an acceptable aesthetic objective.

I truly respect and appreciate their concern, but isn't this opinion unduly rigid and fairly unreasonable.

A good example of why this material is aesthetically acceptable is the building on the corner of 199 and Jamestown Road that has been covered with vinyl. I strongly believe the vast majority of those that see this building would not be aware it is not wood siding unless they were told.

Is this unawareness not an indication that there is no degradation of the Character of the community standard pertaining to the use of this material in this location?

Why would a property owner choose to use a material other than wood?

Cost.....Primarily of maintenance. As Council prioritizes standards for the community is it not reasonable to ask the economic burden of the cost of these requirements on citizens and property owners?

I am confident Council through established process can add this CP district with sufficient safeguards and guidelines so the City does not loose even a little bit of its’ aesthetic integrity, but at the same time offering a reasonable option to a property owners expectation of maintenance issues.

I am prepared to place a motion on the floor that would request the planning department move forward the process of offering council the information required to add a second CP district with guidelines similar to a merging of AP3 and CP districts.